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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/756,232

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Khiem Le

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04/30/2004

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EXAMINER

CORRIELUS, JEAN M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 04/30/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/756,232

Applicant(s)

LE ET AL.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 and 32-38 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 20-23, 30, 31 and 41-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. This office action is in response to the Request for Continued Examination (RCE) filed in April 16, 2004, in which claims 1-50 are presented for further examination.

Response to Arguments

2. Applicant's arguments filed September 8, 2003 have been fully considered but they are not persuasive. See examiner's remark.

Information Disclosure Statement

3. The information disclosure statement (IDS) filed on November 07, 2002 (paper no.6) complies with the provisions of M.E.P., 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 22, 30 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 22 recites "from a first entity to a second entity"; claim 30 recites "from a first entity to a second entity"; claim 31 recites and "from said first entity to a

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second entity". It is not clear whether the first and the second entity recited in the above mentioned claims are similar or different. Applicant is advised to amend the claims to solve the *35 USC § 112* problem set forth in the office action. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 19, 24, 40 and 49-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Holmes US patent no. 5,864,860

As to claims 19 and 40, Holmes discloses a system for compressing a data sequence having a plurality of records. In particular, Holmes discloses the claimed features "classifying at least one item of a list containing a plurality of items" indicating that the content of that field is the same as the content in the corresponding field (col.3, lines 3-15; col.4, lines 35-62); "based upon the classifying of the at least one item of the list forming a compressed list including said at least one item" (col.4, lines 13-16); and "transmitting said compressed list" (col.4, lines 55-62).

As to claims 24, 49-50, Holmes discloses the claimed "wherein said compressed list includes information regarding a difference between a current item list and a reference item list" (col.4, lines 10-62).

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Claim Rejections - 35 U.S.C. 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes US patent no. 5,864,860 in view of Svanbro et al (hereinafter □Svanbro□) US Patent no.6,535,925.

As to claim 25, Holmes and Svanbro disclose substantially the invention as claimed. In addition, Svanbro discloses the claimed feature □encoding the information regarding said difference prior to sending said information from said first entity to said second entity□(col.5, line 15-col.8, line 63). Therefore, it would have been obvious to one having ordinary skill in the art combine the teachings of cited references, wherein the database server, provided therein (see Holmes□ fig.1) would incorporate the use of a robust and efficient compression of list of items, in the same conventional manner as discloses by Svanbro. One having ordinary skill in the art would have found it obvious to utilize such a combination because that would provide Holmes□ system the enhanced capability of efficiently compressing a header of a real-time communication packet.

As to claim 26, Holmes and Svanbro disclose substantially the invention as claimed. In addition, Svanbro discloses the claimed feature □wherein encoding the information comprises encoding information regarding a position of a newly added item to said reference item list” (col.5, line

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15-col.8); and encoding information regarding which item in said reference item list is not in said current item list (col.5, line 15-col.8, line 63). Therefore, it would have been obvious to one having ordinary skill in the art combine the teachings of cited references, wherein the database server, provided therein (see Holmes fig.1) would incorporate the use of a robust and efficient compression of list of items, in the same conventional manner as discloses by Svanbro. One having ordinary skill in the art would have found it obvious to utilize such a combination because that would provide Holmes system the enhanced capability of efficiently compressing a header of a real-time communication packet.

As to claim 27, Holmes and Svanbro disclose substantially the invention as claimed. In addition, Svanbro discloses the claimed feature wherein encoding the information comprises encoding information regarding which item in said reference item list is not in said current item list (col.5, line 15-col.8, line 63). Therefore, it would have been obvious to one having ordinary skill in the art combine the teachings of cited references, wherein the database server, provided therein (see Holmes fig.1) would incorporate the use of a robust and efficient compression of list of items, in the same conventional manner as discloses by Svanbro. One having ordinary skill in the art would have found it obvious to utilize such a combination because that would provide Holmes system the enhanced capability of efficiently compressing a header of a real-time communication packet.

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As to claim 28, Holmes and Svanbro disclose substantially the invention as claimed. In addition, Svanbro discloses the claimed feature □ wherein encoding the information comprises encoding information regarding content of at least one item in said reference item list □ (col.5, line 15-col.8, line 63). Therefore, it would have been obvious to one having ordinary skill in the art combine the teachings of cited references, wherein the database server, provided therein (see Holmes □ fig.1) would incorporate the use of a robust and efficient compression of list of items, in the same conventional manner as discloses by Svanbro. One having ordinary skill in the art would have found it obvious to utilize such a combination because that would provide Holmes □ system the enhanced capability of efficiently compressing a header of a real-time communication packet.

As to claim 29, Holmes and Svanbro disclose substantially the invention as claimed. In addition, Svanbro discloses the claimed feature □ wherein said information further comprises a type of encoding □ (col.5, lines 15-col.6, line 65). Therefore, it would have been obvious to one having ordinary skill in the art combine the teachings of cited references, wherein the database server, provided therein (see Holmes □ fig.1) would incorporate the use of a robust and efficient compression of list of items, in the same conventional manner as discloses by Svanbro. One having ordinary skill in the art would have found it obvious to utilize such a combination because that would provide Holmes □ system the enhanced capability of efficiently compressing a header of a real-time communication packet.

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Allowable Subject Matter

10. Claims 20-23, 30-31 and 41-48 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 1-18 and 32-39 are allowable in light of the applicant argument and in light of the prior art made of record.

Reasons for Indicating Allowable Subject Matter

12. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that a --determining a type of classification based on said comparing of the items of the lists and communicating the compressed information based upon the determined type of classification-- in the independent claims 1 and 32, is not taught by the prior art of record. The pending claims 1-18 and 32-39 are hereby allowable. (see PTO-892 and PTO 1449).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035.

The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus

Patent Examiner

April 24, 2004